

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

THE CHARTER SCHOOL FUND, LLC,  
AND 18 WINTERGREEN DESOTO  
K-8 SCHOOL, LLC,

Plaintiffs,

v.

No. 3:19-cv-1053-M-BT


THE CITY OF DESOTO, TEXAS, et al.,

Defendants.

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Rebecca Rutherford dated March 3, 2021. The Court has made a *de novo* review of those portions of the proposed Findings, Conclusions, and Recommendation to which objections were made. The objections are overruled. Accordingly, the Individual Defendants and the City of DeSoto's "Motion for Summary Judgment on Issues of Plaintiffs' Standing," (ECF No. 41) is GRANTED with respect to Plaintiff The Charter School Fund, LLC's declaratory-judgment, state-law ultra vires, and regulatory-taking claims. Those claims are DISMISSED without prejudice. Defendants' motion is DENIED with respect to Plaintiffs' remaining claims.

**SO ORDERED**, this 23rd day of March, 2021.

  
BARBARA M. G. LYNN  
CHIEF JUDGE